

REMARKS

Claims 1, 3-8, 10-15, and 17-20 are pending. Claims 1, 3-8, 10-15, and 17-20 are rejected in the current Office Action.

Claims 1, 8, and 15 have been amended in this response. Claims 3, 10, and 17 have been amended to correct the typographical errors in their dependencies.

Claim Rejections

Claims 1, 3, 5-8, 10, 12-15, 17, 19, and 20 are provisionally rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1, 4-9, 12-17, and 20-24 of co-pending Application No. 10/768,823 (hereinafter “the ‘823 Application”) in view of U.S. Patent No. 6,075,943 to Feinman (hereinafter “Feinman”) and further in view of U.S. Patent No. 5,991,543 to Amberg et al. (hereinafter “Amberg”).

Claims 1, 3, 5, 6, 8, 10, 12, 13, 15, 17, 19, and 20 are rejected under 35 U.S.C. §103(a) as being unpatentable over Amberg in view of Feinman.

Claims 4, 11, and 18 are rejected under 35 U.S.C. §103(a) as being unpatentable over Amberg in view of Feinman as applied to claims 1, 8, and 15, and further in view of U.S. Patent No. 6,088,803 to Tso et al. (hereinafter “Tso”).

Claims 7 and 14 are rejected under 35 U.S.C. §103(a) as being unpatentable over Amberg in view of Feinman as applied to claims 1, 8, and further in view of U.S. Patent No. 6,378,054 to Karasudani et al. (hereinafter “Karasudani”).

Applicants have amended independent claims 1, 8, and 15 to recite that the compliance server performs compliance verification to confirm that the software file complies with a predetermined set of software rules. In the prior Office Action (p. 29), Examiner stated that Amberg discloses a compliance server that performs compliance verification to confirm that a software file complies with a predetermined set of rules. Examiner stated that he interpreted entries in the component table disclosed in Amberg to correspond to “predetermined rules.” Applicants respectfully disagree with Examiner’s interpretation, but have amended independent claims 1, 8, and 15 to clearly distinguish Applicants’ claimed invention over the art of record.

The combination of limitations recited in independent claims 1, 8 and 15, as amended, are not taught by the combination of Amberg and Feinman, nor by any of the other art references of record. Applicants respectfully submit that independent claims 1, 8 and 15, as amended, are

patentable over the art of record and, therefore, the rejection of these claims under 35 U.S.C. §103(a) should be removed. Applicants further submit that all remaining dependent claims are patentable as being dependent on an allowable base claim.

CONCLUSION

In view of the amendments and remarks set forth herein, the application is believed to be in condition for allowance and a notice to that effect is solicited. Nonetheless, should any issues remain that might be subject to resolution through a telephonic interview, the examiner is requested to telephone the undersigned.

FILED ELECTRONICALLY
August 9, 2007

Respectfully submitted,

/Gary W. Hamilton/

Gary W. Hamilton
Attorney for Applicant(s)
Reg. No. 31,834